



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO. 077319/0125

Loc 0300
"Seq"
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In re Patent Application of

David W. LEUNG et al.

Serial No. 08/842,827

ATTN: Application Division

Filed: April 17, 1997

For: HUMAN PHOSPHATIDIC ACID PHOSPHATASE

TRANSMITTAL LETTER

Box Missing Part
Assistant Commissioner for Patents
Washington, D. C. 20231

Sir:

Responsive to the Notice to File Missing Parts of Application under 37 C.F.R. § 1.53(d) mailed June 9, 1997, attached hereto are the following to complete the formal filing requirements in the above-identified application:

- X Check in the amount of \$530.00 in payment of the \$385.00 official Government filing fee, the \$65.00 surcharge, \$40.00 for independent claim fees over 3 and the \$40.00 Assignment recordation fee.
- X Declaration and Power of Attorney signed by each Inventor.
- X Preliminary Amendment.
- X Statement to Support Filing and Submission in Accordance with 37 C.F.R. §§ 1.821-1.825.
- X Sequence Listing (Paper Copy and Computer Readable Form (CRF) copy).
- X Small Entity Declaration signed by or on behalf of each individual, concern or organization having rights in the subject invention.

Serial No. 08/842,827

- X Assignment to CELL THERAPEUTICS, INC. with Recordation Form Cover Sheet (recordation fee of \$40.00 included in attached check).
- X A copy of the Notice to File Missing Parts of Application (Form PTO-1533) mailed June 9, 1997.
- X A copy of the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures mailed June 9, 1997.

The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 19-0741.

Receipt is now awaited by Applicants of the official Filing Receipt confirming the above-noted filing date and Serial Number.

Respectfully submitted,



Stephen A. Bent
Reg. No. 29,768

August 5, 1997

FOLEY & LARDNER
Suite 500
3000 K Street, N.W.
Washington, DC 20007-5109
(202) 672-5300



385-201 65-202
40-202
UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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08/842,827 04/17/97 LEUNG D 077319/0125

0262/0609

FOLEY AND LARDNER
SUITE 500
3000 K STREET NW
PO BOX 25696
WASHINGTON DC 20007-8696

NOT ASSIGNED

DATE MAILED: 1801

06/09/97

NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

An Application Number and Filing Date have been assigned to this application. However, the items indicated below are missing. The required items and fees identified below must be timely submitted ALONG WITH THE PAYMENT OF A SURCHARGE for items 1 and 3-6 only of \$ 130 for a ☒ large entity ☐ small entity in compliance with 37 CFR 1.27. The surcharge is set forth in 37 CFR 1.16(e). Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required above to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☒ large entity ☐ small entity (verified statement filed), is \$ 980.00

☒ 1. The statutory basic filing fee is:

- ☐ missing.
☐ insufficient.

Applicant must submit \$ 770.00 to complete the basic filing fee and/or file a verified small entity statement claiming such status (37 CFR 1.27).

☒ 2. Additional claim fees of \$ 80.00, including any multiple dependent claim fees, are required.
Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☐ 3. The oath or declaration:

- ☐ is missing.
☐ does not cover the newly submitted items.
☐ does not identify the application to which it applies.
☐ does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☒ 4. The signature(s) to the oath or declaration is/are:

- ☐ missing.
☐ by a person other than inventor or person qualified under 37 CFR 1.42, 1.43, or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$ _____ processing fee is required since your check was returned without payment (37 CFR 1.220).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☒ 8. The application does not comply with the Sequence Rules.
See attached "Notice to Comply with Sequence Rules" 37 CFR 1.821-1.825.

☐ 9. OTHER:

Direct the response and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the response.

Customer Service Center
Initial Patent Examination Division (703) 308-1202

06/29/1997 J11P271 0000002 08842827 385-201 40-202 65-202
019FC:201
023FC:202
035FC:205

Application No.: 08/842827

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- ☒ 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- ☐ 7. Other: _____

Applicant Must Provide:

- ☒ An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- ☒ An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

For PatentIn software help, call (703) 308-6856

PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR RESPONSE